

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-000717

10/10/2012

HONORABLE DANIEL J. KILEY

CLERK OF THE COURT

K. Philpot

Deputy

IN RE THE MATTER OF
JOHN J ARROYO III

JOHN J ARROYO III
7842 W FLEETWOOD
GLENDALE AZ 85303
DEEAN GILLESPIE STRUB

AND

LAURA O MUNOZ

ANGELA ADAMS-ENHOLM

CONCILIATION SERVICES-CCC
OFFICE OF PUBLIC DEFENSE
SERVICES-CCC
PARENTING SKILLS PROGRAM
JOAN PARKINSON
8350 E RAINTREE DR STE 120
SCOTTSDALE AZ 85260

MINUTE ENTRY

Courtroom CCB 601

1:45 p.m. This is the time set for an Evidentiary Hearing on Petitioner's Petition to Establish Paternity, Child Custody, Parenting Time and Child Support filed on February 17, 2012. Petitioner/Father John J. Arroyo is present with above-named counsel. Respondent/Mother Laura O. Munoz is present with above-named counsel. Court Appointed Advisor Joan Parkinson appears telephonically.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Preliminary matters are discussed.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-000717

10/10/2012

1:45 p.m. The Court stands in recess.

1:50 p.m. The Court reconvenes with respective counsel and parties present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Counsel for Father addresses the Court.

Counsel for Mother addresses the Court.

Court Appointed Advisor Joan Parkinson addresses the Court.

Joan Parkinson is excused.

IT IS ORDERED relieving Joan Parkinson of any further obligation as Court Appointed Advisor in this matter.

John J. Arroyo and Laura O. Munoz are sworn.

Counsel for Petitioner/Father advises the Court that the parties have reached agreements on all issues, which is dictated into the record in the presence of both parties and counsel.

Petitioner/Father and Respondent/Mother both testify that they have heard and understood the agreement as stated on the record; that this is, in fact, their agreement; that they have entered into this agreement voluntarily; and that this agreement is in the best interests of their minor child.

THE COURT FINDS that the agreement was voluntarily entered into between the parties and is in the best interests of the parties' minor child.

IT IS ORDERED approving the agreement of the parties as dictated into the record this date as a binding agreement pursuant to Rule 69, Arizona Rules of Family Law Procedure.

Pursuant to the parties' agreement,

IT IS ORDERED awarding Petitioner/Father John J. Arroyo and Respondent/Mother Laura O. Munoz joint legal custody of the parties' minor child Alexzandyr Jaden Arroyo (DOB: 01/10/2012). Neither party shall have final decision making authority, but both shall confer to make major decisions together concerning the child.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-000717

10/10/2012

IT IS FURTHER ORDERED that, in the event of any custody or parenting time disputes, the parties shall seek mediation through Conciliation Services of this Court prior to seeking judicial relief.

IT IS FURTHER ORDERED that the parties shall follow a “3-2 -2-3” parenting time schedule, with the parenting time exchanges taking place at 6:00 p.m. (unless the party who is scheduled to begin parenting time on a given day gets off work before 6:00 p.m. that day, in which case his or her parenting time shall begin after work). The parenting time schedule shall commence on October 12, 2012, with Respondent/Mother exercising three consecutive days of parenting time, followed by Petitioner/Father’s two consecutive days of parenting time, and so on.

IT IS FURTHER ORDERED that each party shall, during his or her parenting time, allow the other party reasonable telephone access to the child. Such telephone access shall be during the child’s normal waking hours and may be initiated by either party.

IT IS FURTHER ORDERED that the receiving party shall be responsible for picking up the minor child at the start of his or her parenting time. All exchanges shall take place curbside at the residence of the party whose parenting time is ending or at the day care provider.

IT IS FURTHER ORDERED that the parties shall keep a journal in which they record information about the child’s daily routine, activities, and general well-being, and shall exchange the journal along with the child during parenting time exchanges.

IT IS FURTHER ORDERED that other family members may participate in parenting time exchanges in either party’s stead.

IT IS FURTHER ORDERED that if either parent is unable to exercise his or her scheduled parenting time for more than four consecutive hours for any reason other than work, he or she shall notify the other parent as soon as possible and shall offer that parenting time to the other party before making other child care arrangements.

IT IS FURTHER ORDERED that Petitioner/Father shall arrange and be responsible for the cost of any child care required during his parenting time, and Respondent/Mother shall arrange and be responsible for the cost of any child care required during her parenting time.

IT IS FURTHER ORDERED that Petitioner/Father shall be entitled to parenting time every year on Petitioner/Father’s own birthday and on Father’s Day, from 9:00 a.m. until 6:00 p.m.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-000717

10/10/2012

IT IS FURTHER ORDERED that Respondent/Mother shall be entitled to parenting time every year on Respondent/Mother's own birthday and on Mother's Day, from 9:00 a.m. until 6:00 p.m.

IT IS FURTHER ORDERED that the parties shall share parenting time on the child's birthday every year. Each year and on an alternating basis, one party shall be entitled to parenting time on the child's birthday until 1:00 p.m., then the other party shall be entitled to parenting time from 1:00 p.m. forward.

IT IS FURTHER ORDERED that each party shall be entitled to parenting time during Convention.

IT IS FURTHER ORDERED that the parties shall exercise parenting time on legal holidays on an alternating basis.

IT IS FURTHER ORDERED that each party shall be entitled to exercise vacation parenting time twice each year for up to seven days at a time. When the child reaches the age of three, each party shall be entitled to up to two consecutive weeks of vacation parenting time every year.

IT IS FURTHER ORDERED that the party who intends to exercise vacation parenting time shall give the other party 30 days' advance notice of the vacation. Seven days prior to the beginning of the vacation, the vacationing party shall give the other party an itinerary of the trip and contact information for where the minor child can be reached every day of the vacation.

IT IS FURTHER ORDERED that, when the child reaches school age, the parties shall equally split fall, winter and spring breaks.

IT IS FURTHER ORDERED that, no later than **October 31, 2012**, counsel for Petitioner/Father shall submit a Parenting Plan, consistent with the agreements of the parties and the orders of the Court and approved as to form and content by both parties, to the Court for signature.

The parties agree to an "upward deviation" of child support to \$150.00 per month. Accordingly,

IT IS ORDERED that Petitioner/Father shall pay to Respondent/Mother the sum of **\$150.00** per month as and for current child support commencing November 1, 2012 and continuing on the same day of each month thereafter. Said amount is to be paid through the Support Payment Clearinghouse by Income Withholding Order.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-000717

10/10/2012

LET THE RECORD REFLECT an Income Withholding Order is initiated electronically by the above-named deputy clerk. Confirmation # 383822.

Until the wage assignment becomes effective, it is the responsibility of the party obligated to pay support/maintenance to pay the support to:

**Support Payment Clearinghouse
P. O. Box 52107
Phoenix, Arizona 85072-2107**

The payment should show the case number and/or ATLAS case number and the name of the party paying support and the name of the party who will receive the payment.

If payment is made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's Office, in writing, within ten (10) days of the change (A.R.S. 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

Petitioner/Father is personally responsible for the timely payment of support as well as the \$5.00 monthly handling fee. At any time Petitioner/Father and/or his employer are not paying pursuant to the Income Withholding Order, Petitioner/Father must make timely payment of support and fees directly to the Support Payment Clearinghouse. Failure to make timely payment of support may result in a finding of contempt which may result in sanctions, including incarceration.

IT IS FURTHER ORDERED that Petitioner/Father shall provide a Current Employer Information Form, containing the name and address of his employer, to the Clerk of Court within 10 days of receipt of this Minute Entry. A Current Employer Information Form is provided herewith.

IT IS ORDERED that Petitioner/Father and Respondent/Mother shall both provide medical insurance for the benefit of the parties' child. Unreimbursed health care expenses incurred for the benefit of the child shall be paid 50% by Petitioner/Father and 50% by Respondent/Mother.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-000717

10/10/2012

IT IS FURTHER ORDERED that Respondent/Mother shall be entitled to claim Alexzandyr Jaden Arroyo (DOB: 01/10/2012) as a dependent exemption on her income tax returns in even-numbered years, and Petitioner/Father shall be entitled to claim Alexzandyr Jaden Arroyo as a dependent exemption on his income tax returns in all odd-numbered years, provided that Petitioner/Father is current on his child support obligation.

IT IS FURTHER ORDERED that each party shall participate in individual counseling with a counselor of his or her own choosing at his or her own expense.

IT IS FURTHER ORDERED that, no later than January 10, 2013, the parties shall jointly enroll in co-parenting therapy with a counselor that the parties have mutually selected. The parties shall equally share the costs associated with the therapy. If the parties agree that the joint co-parenting therapy is not necessary, then the parties shall file a joint notice with the Court so stating, and the co-parenting therapy will not be required.

IT IS FURTHER ORDERED that each party shall bear his or her own attorney fees incurred in these proceedings.

PARENTING SKILLS

IT IS ORDERED that each party shall participate in a Parenting Skills Program at his or her own expense.

IT IS FURTHER ORDERED referring the parties to Parenting Skills Program, 2131 E. Broadway Road, Suite 15, Tempe, Arizona 85282 for parenting skills classes.

The parties shall contact Parenting Skills at 480-967-6895 ext 202 to schedule an appointment.

HIGH CONFLICT RESOLUTION REFERRAL

IT IS ORDERED that each party shall separately attend and complete a High Conflict Resolution class within 60 days of the date of this order. Based on this order you will be registered and notified by mail of the date/time/location of the class. If you have any questions regarding the class to which you have been assigned please call 602-506-6124. A **\$50** fee is required to attend the class. Please present the instruction form or this Court Order with payment at any Clerk of Superior Court filing counter at least 5 days prior to your scheduled class. Each party must bring a copy of the payment or deferral receipt, or a confirmation number of a telephonic transaction to class to be admitted.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-000717

10/10/2012

WARNING

IF YOU APPEAR LATE OR ATTEMPT TO ATTEND THE CLASS WITHOUT CONFIRMATION OF PAYMENT (AS DEFINED ABOVE) YOU WILL BE TURNED AWAY FROM THE CLASS. IF YOU FAIL TO ATTEND THE CLASS OR ARE TURNED AWAY, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. IF YOU CANNOT ATTEND FOR ANY REASON, YOU MUST REQUEST AND BE GRANTED PERMISSION TO RESCHEDULE YOUR ATTENDANCE AT LEAST 24 HOURS BEFORE THE SCHEDULED CLASS. PLEASE CALL THE NUMBER LISTED ABOVE IF YOU NEED TO REQUEST TO RESCHEDULE YOUR ATTENDANCE.

2:42 p.m. Matter concludes.

IT IS FURTHER ORDERED signing this Minute Entry as a formal written order of the Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ HONORABLE DANIEL J. KILEY

HONORABLE DANIEL J. KILEY
JUDGE OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

JOHN J ARROYO III: Current Employer Information